

## EXHIBIT 27

### STATE OF RHODE ISLAND METHODS OF ADMINISTRATION 2006-2008

#### RIDLT's Equal Opportunity Methods of Administration

##### Element 1

##### Designation of State and Local-Level Equal Opportunity Officers (29 CFR 37.54 (D) (1) (II))

*Each individual designated as a State-level Equal Opportunity Officer and each individual designated as a local-level Equal Opportunity Officer, by name, position, title, business address (including email address if applicable) and telephone number (including TDD/TTY number). See 29 CFR 37.23)*

##### State Level Equal Opportunity Officer

In October, 2002, Ms. Camille Vollaro was designated as the State's Equal Opportunity Officer.

Ms. Vollaro works in the Workforce Development Unit within the RI Department of Labor and Training. In this capacity Ms. Vollaro coordinates a statewide welfare program and as such her duties and responsibilities do not create a conflict of interest or an appearance of a conflict of interest with her responsibilities as EO Officer.

Ms. Vollaro has served as Chair of RI's Department of Labor and Training Equal Opportunity Advisory Committee for six years and is well versed on State and federal laws concerning Equal Opportunity and Affirmative Action. In her capacity as Chair of the EO Advisory Committee Camille has attended many seminars and conferences including the past eight National EO Conferences, sponsored by the Civil Rights Center, held in the Washington, DC area. In addition, Ms. Vollaro has completed the WIA/MOA Train the Trainer "pilot" course in Baltimore, Md., and the WIA/Moa Train the Trainer course in New Orleans, La.

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Position Title: State Workforce Investment Act Equal Opportunity Officer/  
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The Workforce Investment Act Equal Opportunity Officer reports directly to Ms. Adelita Orefice, Director, RI Department of Labor and Training. She has access to Ms. Orefice through in-person meetings. Camille also has daily access to Mr. John O'Hare, Administrator of the State Workforce Investment Office. Mr. O'Hare serves as WIA liaison with the Regional Office.

The Equal Opportunity Officer has the authority to conduct all activities relative to Workforce Investment Act (WIA) programs and Wagner Peyser related complaints of discrimination. Activities include receiving complaints directly from complainants, referring complaints to the appropriate agency (i.e. Human Rights Commission), communicating either orally or in writing with complainants, investigating complaints and recommending decisions to Mr. O'Hare, Administrator of the Workforce Investment Office, or Ms. Deborah George, who will mediate disputes for DLT. The Equal Opportunity Officer travels as necessary to conduct onsite investigations, coordinate Workforce Investment Act Equal Opportunity activities, including liaison between the State and Local Workforce Investment Areas and their service providers; disseminate equal opportunity and nondiscrimination policies to Local Workforce Investment Areas and service providers; provide direction on data collection and record keeping; and monitor for compliance of equal opportunity and nondiscrimination policies.

At least 50% of the WIA's EO Officer's time is allotted to Equal Opportunity responsibilities. However, Camille's position as coordinator for statewide welfare programs allows her the flexibility to spend as much time as necessary to accomplish Equal Opportunity responsibilities. The time spent will be related to the individual issue and the time it takes to reach resolution.

***The duty of the EO Officer, and the manner in which those duties are carried out. (at a minimum, duties assigned to the EO Officer must include those listed in 29 CFR 37.25). Describe the EO duties, responsibilities and activities associated with the implementation of 29 CFR part 37, and all other duties, responsibilities and activities.***

Camille's responsibilities as Equal Opportunity Officer include, but are not limited to:

- Serving as liaison between the Civil Rights Center and the Rhode Island Department of Labor and Training;
- Liaison between the Department of Labor and Training and the Local Workforce Investment Areas in the area of Equal Opportunity and Nondiscrimination;
- Making known EO policy as it is developed to the Workforce Development Services unit, the Director of Labor and Training, Rhode Island's Workforce Investment Act System including Local Workforce Investment Area's six One Stop (Networkri) Centers, and the one DLT Local ES Office;
- Reporting directly to the Director on equal opportunity issues;
- Monitoring and investigating to ensure that recipients and sub-recipients of Workforce Investment Act funds, and the activities of the entities receiving WIA Title I funds are meeting equal opportunity obligations and are in

compliance with equal opportunity and non discrimination laws and regulations under the Workforce Investment Act and 29 Part 37;

- Reviewing the Department's written policies to ensure the policies are nondiscriminatory;
- Attend appropriate training to maintain competency in the role of Equal Opportunity Officer;
- Providing technical assistance on equal opportunity and nondiscrimination issues to all recipients of WIA financial assistance, to DLT's Wagner Peyser Division, Local Workforce Investment Areas and their staff, service providers and other one-stop partners;
- Oversee the development and implementation of Rhode Island's Method of Administration;

The Equal Opportunity Officers ongoing job duties are specific to over-site, review, and update of the department's equal opportunity programs and services. Camille performs the duties of her position generally in an independent manner. She has the knowledge, skills and abilities to perform these duties in a concise, timely, and professional fashion.

## **Training**

### ***The State's plan for ensuring that State and Local level EO Officers are sufficiently trained to maintain competency. (See 29 CFR §37.26)***

The Rhode Island Department of Labor and Training realizes it is imperative that EO officer maintains a high degree of proficiency in order to advise, consult and educate management, staff, partners and customers on equal opportunity and nondiscrimination issues. Therefore, the Department provides Camille with every opportunity for training to ensure that she maintains subject expertise and competency in Equal Opportunity matters.

The State WIA Equal Opportunity Officer attends the NASWA/CRC Annual Equal Opportunity Conference. Additionally, Camille was added as a member of the NASWA Equal Opportunity Committee and has the advantage of networking with WIA Equal Opportunity Officers throughout the country. These meetings, coupled with the relationships formed networking during these meetings, affords Camille a higher level of understanding and competency in her role as EO Officer.

The Department provides Camille with every opportunity for EO training to ensure she and ultimately all DLT service providers maintain competency on EO issues.

To ensure that the Local Equal Opportunity Officers are sufficiently trained in order to maintain competency in this field the State Equal Opportunity officer has begun EO related training to WIA Center staff, EO Advisory Committee, WIA Local EO Officers, service providers and partners. An initial meeting between the State and Local WIA Equal Opportunity officers took place in February, 2004. A second meeting was held in March, 2004. These meetings focused on the Methods of Administration and the Equal Opportunity Officers responsibility in ensuring that the policies and procedures described in the MOA are followed including, the

review of the complaint policy and Equal Opportunity and Nondiscrimination regulations of 29 CFR Part 37. During these meetings we developed a tentative schedule for providing training to WIA service providers and partners. A subsequent meeting reviewed required data collection elements. Additional meetings are held, as necessary to share EO information. Onsite technical assistance to WIA service providers and partners takes place as necessary. Training on the MOA, LEP Policy, and Faith Based Initiatives is ongoing.

The State WIA Equal Opportunity Officer developed and distributed new posters with the necessary information as part of the method to apprise applicants, registrants, eligible applicants/registrants, employees, applicants for employment and members of the public of their rights and responsibilities in filing a complaint.

The EO Officer provides EO/Civil Rights training for DLT and networkri staff. The training includes information regarding the role of the EO Officer, and the covered bases of discrimination under Section 188 of the Workforce Investment Act, Section 504 of the Rehabilitation Act, also, Limited English Proficient Policy.

**Staff and other resources assigned:**

***The level of staff and other resources available to State and local level EO Officers to ensure that WIA Title I financially assisted programs and activities operate in a nondiscriminatory way. (See 29 CFR §37.26 (c).***

There are no additional staff assigned to assist the State EO Officer, however, the staff of the Workforce Investment Act responsible for oversight of the State's WIA program is available for assistance. Also, if necessary the Department's EO Advisory Committee could be available for assistance to the EO Officer. Although the State EO Officer does not have day to day oversight over any of the staff above, the EO Officer provides guidance and oversight on equal opportunity issues.

**Local Workforce Investment assistance to State Equal Opportunity Officer:**

When the complaint involves a Local Workforce Investment Area, the State WIA Equal Opportunity Officer can request assistance from the Local Equal Opportunity Officer in the investigation.

**Budget:**

The State Workforce Investment Act's Equal Opportunity Officer's position is funded through DLT's Administrative funds. There is no specific EO budget. Any monies needed for EO purposes including ordering posters, traveling costs for training, National EO conference, including membership on the NASWA EO Committee, Train the Trainer workshops, or any other conferences/workshops necessary to keep apprised of equal opportunity/non-discrimination issues is taken from the Department of Labor and Training's Administrative budget.

**State WIA Equal Opportunity Officer made known:**

***The manner in which the recipient makes known the identity of the EO Officer to applicants, registrants, eligible applicants/registrants, participants, employees, and applicants for employment, as well as interested members of the public. (See 29 CFR §37.26)***

The State Workforce Investment Act Equal Opportunity Officer's identity is made known at service provider sites, Rhode Island's six Networkri One Stop Career Centers, and one DLT office, by "Equal Opportunity is the Law" poster, in both English and Spanish. Posters are displayed in prominent locations within the agency. Examples of where posters are prominent displayed include: lobby, entrance, classrooms, break rooms, or other areas where the agency considers them to be noticeable on a universal basis. The audiences reached through the prominent display of the "Equal Opportunity is the Law" poster include employees, employers seeking services, job seekers, participants, registrants, applicants, and the general public. Additionally, individuals receive an "Equal Opportunity is the Law" notice when going through the registration process. A copy is kept in the customers file, as required by 29 CFR Part 37, §37.31.

**Local Workforce Investment Area Equal Opportunity Officer Designation:**

There are two Local Workforce Investment Boards in Rhode Island.

The Workforce Partnership of Greater Rhode Island has designated Arthur Jodoin as their Local Workforce Investment Area Equal Opportunity Officer. Mr. Jodoin has been an active member of the Department of Labor & Training's Equal Opportunity Advisory Committee for several years and is well versed in EO matters. He has been the vice-chair of the committee for the past two years. He has also worked in the WIA system since its inception. Having previously held the position of Monitoring and Evaluation specialist, he has extensive knowledge of the statutory and regulatory requirements of WIA.

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The Workforce Solutions of Providence Cranston and the Providence Cranston Workforce Investment Board has appointed Mr. Edward Curran as their Local Workforce Investment Area Equal Opportunity Officer. Mr. Curran holds the highest management position at the Providence Networkri (One Stop) Office.

Name: Edward Curran  
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Mr. Curran has an extensive Equal Opportunity background while serving in the Navy. He attended many seminars and workshops and is well versed on Equal opportunity issues. In his position as Employability Coordinator/Manager for WIA he brings an understanding and knowledge of the statutory and regulatory requirements of WIA.

The State Equal Opportunity Officer forwards all Equal Opportunity training notices to the Local Workforce Investment Areas' designated Equal Opportunity Officers. Local EO Officers are encouraged to attend all trainings, including the annual EO conference held in the Washington, DC area in July/August.

## **Element 2**

### **Notice and Communication (29 CFR §37.54 (D) (1) (III) )**

#### ***Describe the methods and frequency of distribution of the notice, including initial dissemination: (see 29 CFR §37.29)***

The State Workforce Investment Act's Equal Opportunity Officer ensures that the notices/posters ***provided in English and Spanish*** are prominently displayed in all facilities where WIA activities are conducted, including all six Networkri One Stop Career Centers, and the one DLT Office. In addition notices/posters are displayed in DLT's Administrative Offices. Customers entering any DLT or Networkri Center may view the "EO is the Law" poster, which is prominently displayed in or near the entrance to the facility.

The State Workforce Investment Act's Equal Opportunity Officer also ensures that registrants, applicants, participants, applicants for employment and employees are notified both electronically and through hard copy of their rights regarding Equal Opportunity and Nondiscrimination and where to file a complaint. A copy of the EO notice is retained in the customer's file, and a copy is given to the customer. The Notice is posted on the DLT website, in all six Networkri One Stop Career Centers, and the one DLT Job Service Office. It is important to note that customers who are Limited English speaking, with Spanish as their primary

language, receive the Spanish version of the EO Notice. Both the English and Spanish version is on DLT's home page.

The Notice has been distributed to all thirty five (35) service providers, which includes providers of WIA Adult, Youth, and Dislocated Worker programs.

Notice is provided to individuals seeking services through the Wagner-Peyser employment services program through the Equal Opportunity is the Law posters (in each Networkri office).

### **Unemployment Insurance:**

Claimants are notified of their right to equal opportunity and nondiscrimination and where to file complaints. Every claimant receives a Benefits Rights and Information (BRI) sheet when they file for benefits. The BRI contains information regarding equal opportunity, as well as how and where to file a discrimination complaint.

### **Describe the means by which the State ensures that recruitment brochures and other materials are routinely made available to the public.**

All brochures, pamphlets, and materials published by DLT include the statement: "The Department of Labor and Training is an Equal Opportunity Employer/ Program. Auxiliary aids and services are available upon request to individuals with disabilities" TDD # (401) 462-8006. This statement is also included on the DLT homepage.

### **Describe the manner and the extent to which orientations for registrants, applicants, eligible applicants/registrants, employees, applicants for employment, and members of the public include a discussion of the rights of such persons under WIA Section 188 and 29 CFR Part 37.37.**

During orientation workshops for new participants, discussions are held regarding an individual's right under the nondiscrimination and equal opportunity provisions of WIA Section 188 and 29 CFR 37. Each recipient receives a signed copy of the "Equal Opportunity is the Law" Notice, and a copy is placed in the recipients folder. Copies are available at all Networkri Offices, DLT offices and the Administrative building for all interested persons.

The Rhode Island Department of Labor and Training conducts orientation sessions for all new employees in the department. The orientation agenda includes a discussion of equal opportunity. Employees are provided a copy of the "Equal Opportunity is the Law" Notice. The employee is instructed to sign the form indicating they have read and understood their right to equal opportunity and nondiscrimination. The original signed copy is given to the employee and a copy is placed in their personnel file.

Orientation and training sessions are offered to participants in programs provided by the Local Workforce Investment Areas and the Networkri Offices, and DLT Job

Service office. Upon request, Equal Opportunity and Nondiscrimination training can be provided at service provider sites.

**Describe the steps taken to ensure that communications with individuals with disabilities are as effective as communication with others.**

The Equal Opportunity and Nondiscrimination Notice is available in alternative formats, including reader services (provided by Network staff, DLT staff and/or service provider staff) to ensure individuals receive notice and a copy is placed in the individual's file.

RI DLT also makes every effort to ensure the needs of individuals with limited English skills. When requested, qualified interpreters (these can be staff members) assist the individual with limited English skills. The Notice is available in Spanish.

The State Equal Opportunity Officer also monitors the Local Workforce Investment Areas to ensure that alternate means of communication are available. We are currently looking into alternate forms of communication, especially notices in Braille.

**DLT's Equal Opportunity Methods of Administration**

**Element 3**

**Review of Assurances, Job Training Plans, Contracts, Policies and Procedures (29 CFR §37.54 (D)(1)(I) and (D)(2)(I), (III), and (IV)).**

***Describe how each grant applicant, and each training provider seeking eligibility, includes in its application for financial assistance under Title I of WIA the required EO assurances. (29 CFR Part 37.20 (a)(1))***

Rhode Island's strategic plan provides assurances that it will comply with non-discrimination language in Section 188 of WIA, 29 CFR Parts 31, 32, and 37 nondiscrimination and equal opportunity compliance, Section 504 of the Rehabilitation Act, the ADA Act of 1990 and all other federal, state and local laws governing equal opportunity and nondiscrimination. Only those proposals, which conform in all respects to the requirements contained within WIA, including 29 CFR part 37 are awarded.

***Describe how the State ensures that the required assurance is incorporated into each grant, cooperative agreement, contract or other arrangement whereby Federal financial assistance under Title I of WIA is made available. (29 CFR Part 37.20(a)(2)) NOTE: 29 CFR part 37.20(a)(2) provides that the assurance may be incorporated by reference into these documents.***

The required assurance is incorporated into all standard contracts for services, grants, and cooperative agreements whereby Federal Financial assistance under Title I of WIA is made available. The assurances contain equal opportunity and nondiscrimination language that it will comply with all equal opportunity and nondiscrimination regulations including the Americans with Disabilities Act of 1990,

Section 504 of the Rehabilitation Act of 1973 as amended, WIA Equal Opportunity and Nondiscrimination Regulations 29 CFR Part 37, and all other federal, state and local laws governing equal opportunity and nondiscrimination and will remain constant for the life of the contract.

The State requires the Local Workforce Investment Areas to comply with the federal and state laws prohibiting discrimination and further identifies the prohibited discrimination. Local Workforce Investment Areas must include equal opportunity language in their contractual agreements with another entity to provide a program or service.

Local Workforce Investment Areas must certify training providers who are to become eligible to provide training services under the Workforce Investment Act. Local Service providers must comply with the equal opportunity/nondiscrimination provisions of WIA Section 188 and its implementing regulations at 29 CFR Part 37.

Boilerplate language is used for service provider agreements therefore all Workforce Investment Act Title IB service provider agreements contain the assurance language.

Monitoring for equal opportunity and nondiscrimination assurance is included in the annual monitoring and Local Area Plans, service provider agreements, memorandum of understanding, and any other WIA documentation that is used to provide policy to service providers. These are all reviewed for assurance language. Included in that review of assurances is a review of the tool used by the State Workforce Investment Act Equal Opportunity Officer to conduct the review of the local area service providers.

***Describe how each grant applicant and each training provider seeking eligibility is able to provide programmatic and architectural accessibility for individuals with disabilities.***

The State of Rhode Island certified that it would comply with the nondiscrimination provisions of WIA Section 188 and its implementing regulations at 29 CFR Part 37 in the five-year strategic plan.

The State Workforce Investment Area Equal Opportunity Officer provided the accessibility checklist to all WIA service providers. The State WIA Equal Opportunity will conduct monitoring of the Local Workforce Investment Area service providers by reviewing and determining the sites are:

- fully accessible to individuals with disabilities in regard to physical site and program space
- fully accessible regarding electronic and self-service program components
- fully accessible in terms of all one-stop services, WIA program services, and partner services
- conscious of transportation issues and can provide information to customers as needed.

A review of the Networkri Office's, DLT Job Service Office and DLT's Administrative Offices' accessibility was conducted and completed in 2005. This monitoring process will be conducted every 2 years.

***Describe how Job Training Plans, contracts, assurance, and other similar agreements entered into by recipients are both nondiscriminatory and contain the required language regarding nondiscrimination and equal opportunity. (29 CFR Part 37.54(b)(2)(iv))***

All agreements and contracts between the Local Workforce Investment Areas and WIA service providers contain equal opportunity and nondiscrimination language that it will comply with all equal opportunity and nondiscrimination regulations including the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973 as amended, WIA Equal Opportunity and Nondiscrimination Regulations 29 CFR Part 37, and all other federal, state and local laws governing equal opportunity and nondiscrimination and will remain constant for the life of the contract.

***Describe how the State provides assurance that State and local level policy issuances, or issuances from other recipients, are not discriminatory either in intent or effect. (29 CFR Part 37.54 (d)(2)(iii))***

Local Workforce Investment Areas provide a draft of all policy issuances relating to equal opportunity/nondiscrimination to the State Equal Opportunity Officer for review and comment prior to issuing the policy in final form to Local Workforce Investment Area service providers.

***Describe how the policies on WIA Title I Equal Opportunity and Nondiscrimination issues are developed and implemented in a timely manner.***

The State Workforce Investment Office issues, by email, Workforce Investment Notices to the principals of the Workforce Investment system, who in turn, are directed to promulgate the information to its members, service providers, partners, etc. The development and implementation of policies and procedures occurs in a timely manner relative to any time line for providing the policies.

#### **DLT's Equal Opportunity Methods of Administration**

##### **Element 4**

##### **Universal Access (29 CFR §37.54 (D) (1) (VI))**

***The State has communicated the obligation of recipients ( including, e.g., LWIBS, one stop operators and service providers) to make efforts (including outreach) to broaden the composition pool of those considered for participation or employment in their programs or activities in an effort to include members of both sexes, of the various racial and ethnic groups and of various age groups, as well as individuals with disabilities. (See 29 CFR §37.42).***

One of Rhode Island's goals is to provide quality accessible and comprehensive employment-related and supportive services responsive to the needs of all individuals participating in our services.

Rhode Island's Department of Labor and Training strives to bring all persons in Rhode Island who desire to work, including members of both sexes, of various racial and ethnic groups, various national origins, of various age groups, individuals with disabilities, veterans, the economically disadvantaged and public assistance recipients into the workforce.

The Department's website ([www.dlt.state.ri.us](http://www.dlt.state.ri.us)) is one way we reach out to all individuals interested in employment and training services in Rhode Island. Individuals can request referrals to listed job openings, obtain Labor Market Information (LMI), and find out about our job training. All services within the RI Networkri offices (WIA) are also readily available on the Department's website. WIA services are only a click away once clients access the website.

There is extensive collaboration with other state agencies (partners) such as Vocational Rehabilitation, Department of Human Services, Office of Child Support, Department of Education, and local Veterans organizations bringing all individuals into our offices for services.

Also, the Department's Dislocated Workers' Unit performs outreach at all companies who have given notice of their closing, or significant staff reductions. The purpose of these outreach visits is to meet with soon to be dislocated workers to ensure that they receive all needed services in order for them to obtain a meaningful job at wages as close to their previous wages as quickly as possible.

Rhode Island's six Networkri offices, WIA Service providers, and the one DLT job Service Office are located statewide. All are accessible to individuals with disabilities. Rhode Islanders can select the location and method of access that is most convenient to them. The system is designed to address the diverse needs of all customers, job seekers, and employers. Universal access is achieved by the availability of onsite services, flexible hours, and access to those with limited English speaking proficiency.

### **Limited English Persons**

"The United States Department of Labor (USDOL) guidance regarding persons with limited English proficiency requires recipients of federal financial assistance to ensure meaningful access to their programs and activities by persons with limited English Proficiency (LEP) pursuant to Title VI of the Civil rights Act of 1964, its implementing regulations, and Section 188 of the Workforce Investment Act of 1998. The guidance does not create new legal requirements or change existing requirements. It clarifies what the law already requires with respect to ensuring that information and services are accessible to LEP persons. Eligible LEP individuals must be able to access the full spectrum of services provided by the recipients. The purpose, as stated in the revised guidance, is "to assist recipients in fulfilling their responsibilities to provide meaningful access to LEP persons

under existing law.” The USDOL advises that recipients are required by Title VI to take reasonable steps to provide meaningful access to federally assisted programs and activities by LEP persons through language assistance that is reasonable, timely, and effective.

With this above guidance the LEP checklist (see documents) will be used by the State EO Officer as a means of assisting our Department (One Stops/Wagner-Peyser/Unemployment Insurance) in ensuring that LEP persons receive meaningful access to federally assisted programs and activities.

All individuals entering Networkri offices have access to Rhode Island's Workforce system, and to core employment related services. Information about job vacancies, career options, student financial aid, relevant employment trends, and instruction on how to conduct a job search, write a resume, or interview with an employer is available to any job seeker or individual wanting to advance his or her current career. Any individual, whether an employer, job seeker, program participant or service provider, has access to information on services and programs from any Internet connected computer.

Additionally, staff can communicate with Limited English Proficient customers through the web site: <http://translation2.paralink.com>. This site allows individuals to ask questions in their own language, and receive answers in their own language.

Job Seekers are not the only customers in need of more services. Another important customer is the employer. Networkri offices provide a wide array of services to employers. Outreach is provided to employers by our Employer Services Representatives to educate them on how to reach untapped labor resources, to understand the services available to employers, (this includes Job Fairs), and how to use our services. Employers are offered information on the Work Opportunity Tax Credit (WOTC) program that provides a federal tax credit incentive to employers to hire individuals from certain targeted groups and job fairs. Labor Market Information is another source available to employers and job seekers with information about the job market as it relates to the State of Rhode Island.

### **DLT's Equal Opportunity Methods of Administration**

#### **Element 5**

#### **Compliance with Section 504 of the Rehabilitation Act of 1973, as amended and 29 CFR Part 37 (29 CFR §37.54 (D)(2)(V))**

All recipients of WIA funds and partners in the One Stop Delivery System must comply with Section 504 of the Rehabilitation Act of 1973, as amended. Assurance is provided in Method of Understandings (MOU's) within the local Networkri Offices and between recipients of WIA funds including the RI Department of Labor and Training, Local Workforce Investment Area Boards, and Local Workforce Investment Area Service Providers, WIA Title 1 mandatory partners and other partners.

***Describe how the state ensures that recipients meet their obligation not to discriminate on the basis of disability. ( 29 CFR §32.12(a), 32.26 and 37.7)***

The State of Rhode Island Workforce Investment system is dedicated to providing equal access and accommodations to persons with disabilities. Assurance language requiring compliance in meeting this obligation is in all service provider agreements.

Emphasis on inclusion of individuals with disabilities is recognized throughout all program areas and not just through the provision of rehabilitation services. The philosophy of universal access has changed the way business is conducted within Rhode Island's Department of Labor and Training and its WIA system.

The WIA Section 188 Disability checklist (Final, July 2003) has been used in the monitoring process to ensure nondiscrimination and equal opportunity to persons with disabilities are able to participate in programs and activities operated by Local Workforce Investment Areas (LWIA) grant recipients that are part of the One Stop delivery system.

***Describe how the state provides reasonable accommodation for individuals with disabilities (29 CFR §32.13 and 37.8)***

The State requires alternative methods of providing services where facilities are determined not to be physically accessible to people with disabilities. DLT provides reasonable accommodation, as needed, when requested by persons with a qualified disability.

The Department of Labor and Training has appointed Ms. Vollaro as the ADA Coordinator for WIA programs/facilities and Mrs. Virginia Faria as Facilities Manager (with ADA responsibilities) for the remainder of the Department of Labor and Training programs and facilities. Both Camille and Virginia work cooperatively to ensure that ADA policies, practices and procedures are carried out appropriately.

Workforce Investment Act programs and services are available to all individuals. The eligibility criterion for individuals with disabilities receiving youth services is the same for all youth as is the eligibility criteria for dislocated workers the same for all dislocated workers throughout the program. The same is true for adults who will receive intensive and training services. Workforce Investment Act services will be made available to all individuals and/or appropriate referrals will be made to ensure equal opportunity and accessibility to service to everyone.

Accessibility and reasonable accommodation is available in all Networkri One Stop centers. (A list of assistive technology and resources follows).

Rhode Island takes phone claims, however, those UI claimants that do not have a phone or cannot afford to call from their home, or not call for any other reason may go to any Networkri center to phone in their claim. All offices are accessible for this purpose.

Wagner-Peyser services are only available at all One Stop/Networkri offices as well as the one DLT office. Therefore, all reasonable accommodations is provided

to all individuals seeking Wagner-Peyser services in addition to the availability of assistive devices that aid individuals with disabilities in receiving core services, conducting a job search or registering for a program.

***Describe how the state provides reasonable modifications to policies practices and procedures. (29 CFR Part 37.8)***

Title II of the ADA requires that programs, services, and activities of state and local governments be accessible to and useable by individuals with disabilities. DLT is committed to providing reasonable accommodations to individuals with disabilities.

ADA Coordinators assure that the needs of persons with disabilities are met in the most appropriate, customer friendly, cost efficient, and timely manner possible. The individuals in these positions coordinate their efforts and have a true commitment to the customers (both internal and external) they serve. The Department's ADA Policy is accessible to all staff (Department's Affirmative Action Plan, available in the Human Resources Department), and for programs and services through the State Workforce Investment Offices annual plan).

***Describe how the state provides architectural accessibility for individuals with disabilities. (See 29 CFR §32.28)***

One of the most effective means of providing integrated program services is through the development of a welcoming, inclusive environment.

In 1999 when Rhode Island's first Networkri, One Stop office opened, in order to comply with ADA regulations, this office building became the prototype for accessibility for individuals with disabilities.

Some highlights of architectural access in all DLT and Networkri offices include:

- Power assisted door systems. The building entrances are outfitted with electronic systems that provide easy access to services.
- Elevators are located in all multi-level buildings. Elevators have signage in Braille.
- Restrooms are accessible to all individuals with disabilities. Restrooms can accommodate wheelchairs. Restrooms have signage in Braille. Signage is posted on the walls beside the entrance doors, signage also signifies, male or female restroom.
- There is Lever hardware on all doors. These are in place of regular doorknobs, as they are better operated by entrants into the offices who have arthritis.
- There are designated handicap parking spaces available at the front entrances at all locations.
- All buildings have either front or back entry ramps.
- All aisles and door jams are wheelchair accessible.
- DLT website is Bobby compliant.

***Describe how the state provides programmatic accessibility for individuals with disabilities in as integrated a setting as possible. (29 CFR Part 37.7-8)***

The Rhode Island Workforce system has taken a very proactive role in assuring programmatic accessibility for individuals with disabilities in as integrated a setting as possible. The following is a list of the various assistive technologies and other assistive tools available at the Networkri offices:

- Notices are posted stating adaptive equipment is available
- Employment counselors and Veteran representatives providing case management or referrals for individuals with disabilities
- Staff with customer point of contact for individuals with disabilities
- Access to interpreters for the hearing impaired (a list of interpreters is available)
- Staff is trained and available to assist with accessible equipment
- Computer access for all individuals with disabilities
- Adjustable workstations that accommodate wheelchairs
- Bigger monitors for visually impaired
- JAWS computer software for visually impaired and individuals with literacy problems
- MAGIC software for visually impaired
- Magnifying screens and viewers for visually impaired
- Access to TTY/TTD and other telephone devices including phone amplifiers for the hearing impaired
- Utilization of Vocational Rehabilitation services through the partner being on site
- Personal FM system (allows hearing impaired to attend group sessions)
- Document reader (takes printed material and reads it out loud)
- Document magnifier (blows up document for visually impaired)
- Pocket Talker for the hearing impaired. This is an assistive listening device that is used when showing videos.

The Department of Labor and Training and the Local Workforce Investment Area provides assurances to all applicants for employment within the Department or the local areas. When DLT employees are hired or reclassified the job qualifications are reviewed to ensure nondiscrimination. Job qualifications for other recipients will be reviewed during monitoring visits to ensure nondiscrimination based on disability.

**DLT's Equal Opportunity Methods of Administration**

**Element 6**

**Data and Information Collection and Maintenance (29 CFR §37.54 (D)(1)(IV) and (VI))**

***The State ensures that recipients:***

***Collect and maintain records on applicants, registrants, eligible applicants/registrants, terminees, employees, and applicants for employment.***

The Rhode Island Department of Labor and Training's Workforce Investment Act data collection system collects and maintains information on applicants, registrants, eligible applicants/registrants, participants, terminees, and applicants for employment. This information will be collected through the Department's One Stop Operating System (OSOS). This information includes the race/ethnicity, sex, age, and disability status of each applicant, registrant, eligible applicant/registrator, participant, terminee, and applicant for employment. This information is collected during the intake process and updated as needed throughout the individual's participation in the WIA system. All of these records are handled confidentially in accordance with 29 CFR 32.15, 29 CFR 37.37 (b) (2) and 29 CFR 37.41.

***Maintain a log of complaints filed that allege discrimination on one or more of the bases prohibited by WIA Section 188 ((29 CFR §37.37 (c)).***

The Department's Equal Opportunity Officer maintains a log of all complaints filed that allege discrimination on one or more of the bases prohibited by WIA section 188. The EO Log includes all the CFR required information: the name and address of the complainant, the ground of the complaint, a description of the complaint, the date the complaint was filed, the disposition, and date of disposition of the complaint, and other pertinent information.

Participant files are kept for a minimum of three years (CFR 37.39) from the close of the applicable program year, or if part of an investigation of a complaint of alleged discrimination, a minimum of three years from the completion of that investigation.

Employment related data, for applicants and terminations as well as for employment actions such as promotions and transfers, are also maintained for a minimum of three years. Applicants for employment are asked voluntarily to indicate their sex, ethnic and racial categories, age, and if applicable, disability status.

The Department's Equal Opportunity Officer will maintain a log of all complaints filed alleging discrimination on one or more of the bases prohibited by WIA Section 188. These records are also maintained for three years.

The Rhode Island Department of Labor and Training is required by 29 CFR 37.38 (a) to promptly notify the CRC Director of administrative enforcement actions and lawsuits brought against the Department that allege discrimination on one or more of the basis prohibited by WIA Section 188. Any sub grants issued by the Department will require that sub grantees notify both the CRC Director and the Department should administrative enforcement actions or lawsuits alleging discrimination as prohibited by Section 188 of WIA be brought against them.

The requirements of 29 CFR 37 which have been placed upon the State will in turn be placed by the State upon Recipients. Language has been added to the Assurances section of new grants and grants modified by the State requiring that Recipients comply with WIA Section 188 and 29 CFR 37. Additionally, Recipients will be required as a condition of initial eligibility and continued eligibility for funds to:

1. Collect and maintain records on applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment.
2. Record the race/ethnicity, gender, age, and disability status of those persons listed in number 1 above.
3. Treat records, particularly those containing medical information, in a manner that ensures their confidentiality.
4. Maintain a log of complaints filed that allege discrimination on one or more of the bases prohibited by WIA, section 1288 and 29 CFR 37.37 (c).
5. Maintain such records for a period of three (3) years.
6. Notify the Director of CRC and the Rhode Island Department of Labor and Training of administrative actions and lawsuits brought against them that allege discrimination on one or more of the bases prohibited by WIA Section 188, and 29 CFR 37.37 (c).

Compliance with the above requirements will be verified during scheduled reviews of Recipients by the EO Officer.

***Describe how recipients, grant applicants, recipients, and the State maintain confidentiality of the information collected.***

Confidentiality of required information is maintained under the Workforce Investment Act. Confidentiality policies and procedures are included in data collection and maintenance policies.

Rhode Island has begun to use America's One Stop Operating System (AOSOS). The EO Officer has report formatting options available through the State run "Ad hoc" report and can print a report showing demographics of registrants and participants, any services received, the program, local workforce investment area and by service provider in the local area. The Equal Opportunity Officer may use the data during a complaint investigation or to conduct a random sample of services provided in an area or at the service provider level.

Rhode Island's Unemployment Insurance Collection of Claimant Data: Collection of individual claimant begins when the person contacts the department to file an Unemployment Insurance (UI) claim. This can be done either over the phone or through the internet. Rhode Island's Unemployment Insurance Division began taking telephone claims on April 6, 1998 and filing claims over the Internet on September 12, 2002. We have 67 Customer Service Representatives in one Call Center that services the entire state.

Approximately 27% of claims are filed over the Internet, reaching 45% during peak seasons of December and July. Included on the Internet is a section which explains the claimant's rights to privacy and describes the assurances the department provides for that security. The Internet's "Welcome to the Rhode Island Internet Claims System Page" also gives options, according to ADA standards/requirements, to the population of claimants who require them.

Individual data fields include Social Security number, date of birth, gender, educational level, race, ethnicity, disability status, and veteran indicators. The demographic claimant data is not a prerequisite for receiving UI benefits. Through a claims taking “script” the claimant is informed that all data collected is confidential. It is displayed on screens and stored in the AS400 database.

The Unemployment Insurance division has the capability to query using any of the above data elements as requested by the Equal Opportunity Officer.

Wagner-Peyser data is also collected on the America’s One Stop Operating System (AOSOS).

### **DLT’s Equal Opportunity Methods of Administration**

#### **Element 7**

#### **Monitoring Recipients for Compliance (29 CFR §37.54 (D)(2)(II))**

*The system for evaluating the extent to which recipients are complying with the administrative obligations of 29 CFR Part 37, including, but not limited to:*

The Rhode Island Department of Labor and Training’s system for evaluating the extent to which Recipients are complying with the Equal Opportunity and Nondiscrimination administration under 29 CFR 37 includes assurances, equal opportunity officers, notices and communication, data and information collection and maintenance, universal access, complaint processing procedures, monitoring of sub-Recipients of WIA Title I financial assistance, imposing sanctions and corrective actions for violations noted by a Recipient during its monitoring reviews and ensuring EO policy development, communication and training are carried out for and by Recipients.

Included in the monitoring review are the following elements:

#### **Assurances** (See 29 CFR §37.20 through 37.32)

- Accessibility of Local Workforce Investment Areas’ administrative entity and review of the process for assuring accessibility at the service provider level

#### **Equal Opportunity Officers** (See 29 CFR §37.23 through 37.28)

Equal Opportunity Officer designation and training. As noted in Element I, Camille is the EO Officer for the Department for Workforce Services. There are also two local EO Officers, one for each service delivery area.

#### **Notice and Communication** (See 29 CFR §37.29 through 37.36)

Notification of Equal Opportunity and Nondiscrimination. The EO Officer includes a review of signage and other forms of the EO notice and communication in the annual monitoring reviews.

**Data Collection and Maintenance** (See 29 CFR §37 through 37.41)

Data collection and maintenance is reviewed at both the Administrative and EO position level, once per program year.

**Universal Access** (see 29 CFR §37.42)

See Element IV.

**Complaint Processing Procedures** (See 29 CFR §37.70 through 37.80)

See Element VIII.

**Performing the responsibilities assigned such recipients by the State through the MOA, such as conducting equal opportunity monitoring/evaluation reviews of applicants for and recipients of “WIA Title I financial assistance (including monitoring assurances of programmatic and architectural accessibility).**

See Elements I and V.

**Imposing Sanctions and Corrective Actions for Violations noted by Recipient during its Monitoring reviews**

See Element IX.

**Ensuring Policy Development, Communication, and Training are carried out.**

In addition to the monitoring, Camille works closely with the Administrative Office, the Human Resources Office, as well as the State Workforce Investment Office (SWIO), to ensure full compliance with EO policy and procedures.

**Ensuring that their programs and activities are operating in a nondiscriminatory manner and ensuring equal opportunity, including but not limited to conducting analysis, by race/ethnicity and sex, of programs and employment activity, including but not limited to rates of application, placement and termination, to determine if significant differences exist, and conducting follow-up monitoring to determine the cause of any such differences, through the analysis of the records of individual registrants, applicants, eligible applicants/registrants, employees and applicants for employment; interviews, and other appropriate techniques.**

As part of the monitoring process, Camille periodically reviews reports/files. These reviews include analysis of the race/ethnicity, age, disability status, and sex of program and employment activities, placements, terminations, etc., of all DLT customers.

**The procedures for reviewing recipients’ policies and procedures to ensure that the policies and procedures do not violate the prohibitions contained in 29 CFR §37.5 through 37.10.**

The EO Officer, with the assistance of the two Local EO Officers monitor EO requirements and activities periodically, (at a minimum, once per year).

Written reports are prepared for each review. These reports provide, among other things, the results of the monitoring review, and recommendations for corrective action. Reports are distributed to all One Stop Administration staff, the Director of DLT, the affected manager and the appropriate local EO Officer. The report is sent with by hard copy or by e-mail, with a thirty-day response time noted in the report. If needed, a follow-up review will be scheduled.

## **DLT's Equal Opportunity Methods of Administration**

### **Element 8**

#### **Recipient Complaint Processing Procedures (29 CFR §37.54(D) (1) (V)**

The RI Department of Labor and Training, as a condition of receiving funds under the Workforce Investment Act Title I and III Subpart A (Wagner Peyser) funds certifies that it will comply with the nondiscrimination and equal opportunity requirements and procedures as it applies to the complaint processing procedures. (29 CFR 37.76 – 37.79)

Camille Vollaro, EO Officer will process discrimination complaints for the Department of Labor and Training, and all recipients of WIA funding.

The procedures include an initial, **written notice to the complainant** that contains the following information. The notice will be mailed to complainant within 10 business days.

- Acknowledgement that the Recipient has received the complaint.
- Notice that the complainant has the right to be represented in the complaint process
- A written statement of the issues, including a statement for each issue stating whether the Recipient will accept the issue for investigation or reject the issue and the reason for each rejection.
- A notice of final action will be issued to the complainant no longer than 90 days from the date of the complaint.
- A 30 day period for fact finding or investigation of the circumstances underlying the complaint.
- A 20 day period during which the Recipient attempts to resolve the complaint including the alternate dispute resolution which is described in the Complaint Procedures.
- At the time a complainant indicates to any member of the Recipient staff that they are dissatisfied on the basis of discrimination with an action of the Recipient, they will be informed by the staff member to whom they are speaking of their right to file a complaint with DLT or CRC or the right to use the ADR process (to follow).
- A written Notice of Final Action will be provided to the claimant within 90 days of the date on which the complaint was filed. The notice will include the Recipient's decision on the issue and an explanation of

the reasons underlying the decision or a description of the way the parties resolved the issue; and notice that the complainant has the right to file a complaint with CRC within 30 days of the date on which the Notice of Final Action is issued if they are dissatisfied with the Recipient's final action on the complaint.

## **ADR Process/Procedures**

### **ADR Process**

The State EO Officer shall inform complainants of the opportunity to participate in the state level ADR process. If the complainant chooses to participate, the complainant shall notify the State WIA Equal Opportunity Officer within five (5) days of receipt of the statement of issues. The State WIA Equal Opportunity Officer shall coordinate the scheduling of mediation at a location convenient to both the complainant and the respondent. Within thirty (30) days of the date the complainant chooses to participate in ADR, the mediator shall provide a copy of the final agreement or notice of failure to reach an agreement to the State WIA Equal Opportunity Officer.

### **Process if parties fail to reach an agreement under ADR**

If the parties are unable to reach an agreement under ADR, the State will resume its investigation of the complaint or the Complainant may file a complaint with CRC. In this instance, the State EO Officer shall issue a Notice of Final Action within fifty (50) days of the date the complaint is filed at the state level after utilizing the ADR process but no later than ninety (90) days after receipt of the original complaint. For each issue raised, the Notice of Final Action shall include the Department of Labor and Training's decision on the issue and the reasons for the decision or a description of the way the parties resolved the issue. The Notice of Final Action must also include a statement that the Complainant has the right to file a complaint with CRC within thirty (30) days of the date on which the notice of Final Action is issued if dissatisfied with the Department of Labor and Training's final action on the complaint.

### **Breach of ADR Agreement**

If an agreement is reached under ADR but is breached, the party to an agreement reached under the ADR procedure may file a complaint with CRC following the process outlined in 29 CFR 37.76 ( c)(2).

The State Workforce Investment Act's Equal Opportunity Officer, Camille Vollaro, has taken the lead in the development of Rhode Island's Method Of Administration and as such is responsible for developing, implementing, updating and maintaining the Discrimination Complaint Processing Policy and Procedures and assures compliance with 29 CFR Part 37.

Camille's name is on the "Equal Opportunity is the Law" notices (posters and signature sheets) and is the initial contact for all WIA Title I complaints.

Camille also receives and processes WIA and Wagner-Peyser external complaints from participants/registrants, employees of DLT and the Local Workforce Investment Areas service providers and the public that are making a complaint of discrimination.

Workforce Investment Act Title IIB funding recipients, including the Local Workforce Investment Areas' Administrative entity and WIA Service Providers, and employers, including private-for-profit employers of Workforce Investment Act participants are required to have complaint procedures in place. In order to meet the complaint processing requirements in the Workforce Investment Act Equal Opportunity and Nondiscrimination Regulations at 29 CFR Part 37.77 recipients of Workforce Investment Act funds including Local Workforce Investment Areas service providers must adopt this complaint procedure alleging violations of any prohibited factor under the equal opportunity and nondiscrimination provisions of the Workforce Investment Act. Adoption of these elements should be noted in personnel handbooks.

### **Mediation as an Alternative Dispute Resolution Process**

The Department of Labor and Training has been designated by the governor of Rhode island as the agency to comply with Section 188 of the workforce Investment Act (WIA) and its implementing regulations. In carrying out these duties the Department of Labor and Training conducts both compliance reviews and discrimination complaint investigations.

Mediation is an informal process that is offered as an alternative to the traditional investigative or litigation process. Mediation is a voluntary, strictly confidential, non-adversarial dispute resolution process or conference that allows people who have a dispute to come together to talk and decide for themselves how to end their dispute. The sessions are not tape-recorded or transcribed. Notes taken during the mediation are discarded. Mediation gives the parties the opportunity to discuss the issues raised in the allegation(s), clear up the misunderstandings, determine the underlying interests or concerns, find agreements and to reach a resolution. The decision to mediate is completely voluntary for the complainant. The mediator does not take sides or make decisions for people, but assists the parties in agreeing on a mutually acceptable resolution.

## Mediation Election Form

I have read the information on the role of the State of Rhode Island's Department of Labor and Training in the equal opportunity and complaint resolution process under the Workforce Investment Act (WIA) – including the offer of Mediation as an alternative to the formal complaint investigation procedure.

Based on the information provided to me, I have voluntarily and freely made the following election with regard to Mediation.

\_\_\_\_\_ **Yes**, I elect to avail myself of the mediation option of complaint resolution. I agree to participate in the mediation efforts led by the Department of Labor and Training's EO Officer and to attempt to settle the issues in dispute between the respondent and me.

\_\_\_\_\_ **No**, I elect not to use mediation as an alternative method of dispute resolution, and request that the formal complaint investigative process begin as soon as this form is received by the Equal Opportunity Officer.

\_\_\_\_\_  
Complainant Name (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Please complete the above and return it within five (5) days to:**

Camille Vollaro, EO Officer  
Department of Labor and Training  
1511 Pontiac Avenue  
Cranston, R.I. 02920

## DLT's Equal Opportunity Methods of Administration

### Element 9

#### **Corrective Action Sanctions (29 CFR §37.54 (D)(2) (VII))**

Corrective action may occur whenever a recipient is cited as the result of an EO monitoring review or a complaint investigation being conducted. If discrimination is found, a conciliation agreement and corrective action will be required. The corrective action must address the particular act of discrimination, must completely correct the discrimination, and must include timetables by which to correct the discrimination. A written assurance must accompany a corrective action (to ensure that the discrimination does not recur) stating that the recipient will cease in its discriminatory practices where necessary, retroactive and/or prospective relief will be required.

***Describe the standard for corrective and remedial actions to be applied when violations of WIA Section 188 or 29 CFR Part 37 are found. Corrective and remedial actions must be designed to completely correct each violation. For each corrective action, a time frame should be established that sets the minimum time necessary to completely correct the violation. In the case of a finding of discrimination, the procedures must provide, where appropriate, for retroactive relief (including but not limited to back pay) and prospective relief (e.g. training, policy development and communication) to ensure that the discrimination does not recur.***

#### Corrective Action

The corrective actions will be appropriate for the violation identified and designed to end the discrimination and/or redress the specific violation(s).

Two different types of violations are addressed in this element: Technical violation and discrimination violation.

**Technical violations** include but are not limited to the failure to include required language in assurances, failing to post Equal Opportunity notices and failure to provide alternative methods of communication. Technical violations may require a different timeframe for corrections than discrimination findings.

Technical violations should be corrected as promptly as possible and will be addressed at the time of the discovery.

Technical assistance is provided to the Local Workforce Investment Areas (Boards, service providers, and administrative entities), based on the need and may be provided at anytime throughout the program year. However, the State will provide technical assistance to a Local Workforce Investment Area that has failed to meet one or more of its expectations regarding equal opportunity and nondiscrimination compliance. The type of technical assistance given will be based on a State and local assessment of the reason(s) of the violation. If the violation(s) continue after technical assistance has been provided, sanctions will be applied in accordance with appropriate federal guidelines and regulations. The

type of sanctions and corrective actions will be examined on a case – by - case basis and will depend on the reason for failure and the most effective way for correcting the deficiency. Obviously, if through monitoring or discrimination complaint, the State discovers that notice is not appropriately provided because posters are not prominent in an area noticeable by potential applicants or registrants, etc., or registrant files do not have the complaint signature form, the corrective action to be taken would include ensuring that the notice is posted immediately and remains posted in the future. One method of ensuring compliance is to ensure the review for appropriate notice is included in the Local Workforce Investment Area monitoring instrument both by the State WIA Equal Opportunity Officer and the Local WIA Investment Area Equal Opportunity Officer.

Where appropriate, the corrective action will include educating the individuals responsible for implementing this requirement. Technical assistance will be provided by the State WIA Equal Opportunity Officer or may be in coordination with the Local WIA Equal Opportunity Officer, as appropriate. The training would be done on-site or at a mutually agreed upon location. Technical violations usually will not warrant the discontinuance of funds or services from the State.

**Discrimination violations** include but are not limited to findings of disparate treatment, disparate impact and failure to provide a reasonable accommodation. Complaints of discrimination violations will be addressed promptly.

The State will conduct a full review of any Local Workforce Investment Area(s) where noncompliance of equal opportunity and nondiscrimination laws and regulations is suspected. Depending upon the nature of the noncompliance, the review may be conducted in coordination with the Local Workforce Investment Area(s). The State Equal Opportunity Officer will notify the recipient in writing of deficiencies found during equal opportunity monitoring reviews.

Recipients found to be in violation of 29CFR Part 37 or WIA Section 188 will have 60 days to attain compliance. During that timeframe that entity will have 30 days in which to submit a corrective action plan describing the means by which they intend to correct the violations. The corrective action plans will be provided to the State WIA Equal Opportunity Officer and may be submitted to the State and/or Local Workforce Investment Boards for review, if deemed necessary.

The State WIA Equal Opportunity Officer will review the corrective action plan for assurance that corrective action has been implemented. If corrective action provides assurance that the deficiency has been resolved satisfactorily the State Equal Opportunity Officer will send a letter of compliance notifying the Local Workforce Area and advising the area that a follow up review could occur to verify the corrective action.

Corrective action plans must address the particular act of discrimination, must correct the discrimination, and must include time tables by which to correct the discrimination. A written assurance must accompany a corrective action (to help insure that the discrimination does not recur) stating that the Local Workforce Investment Area or their administrative entity, one-stops or WIA service providers

have ceased any discriminatory practices and must attest to taking steps to correct the deficiency so that it does not recur.

***Describe the procedures for follow up monitoring to ensure that commitments to take corrective action and remedial action are fulfilled.***

The State will conduct an on-site review for equal opportunity/ nondiscrimination compliance within 90 days of implementation of the corrective action plan and to ensure the entity in violation of equal opportunity and nondiscrimination regulations has taken steps to correct the deficiency.

Reviews conducted of noncompliance include on-site visits and follow up visits to ensure the terms of any corrective actions are met. The State Workforce Investment Act Equal Opportunity Officer, in cooperation with Local workforce Equal opportunity Officers may conduct reviews, as appropriate. Findings will be documented in writing, provided to the violator and retained in the Equal Opportunity file.

***Describe the required reports from the violating recipients regarding actions taken, individuals involved in the corrective action, dates and times.***

**Sanctions:** Continued non compliance issues will be addressed as follows:

**1<sup>st</sup> level of action:**

A letter of demand for compliance (within 10 days) will be sent to the non compliant entity, with copies to the appropriate manager or director of the affected agency and the Local Workforce Area Board and their administrative entity.

**2<sup>nd</sup> level of action:**

If the deficiencies of noncompliance cannot be resolved or corrected on a voluntary basis, technical assistance will be provided.

- Technical assistance may be provided by the State or Local Workforce WIA Equal Opportunity Officer, or through the coordinated effort of the two officers.
- The State may request periodic reports including copies of the training rosters and written assurances.
- The State may conduct an onsite visit where necessary to evaluate the degree of progress made toward resolving existing noncompliance factors. **NOTE:** The Local Workforce Investment Areas are made aware that follow up monitoring may occur at any time.

**3<sup>rd</sup> level of action:** Rhode Island's State Workforce Investment Board may impose sanctions, including but not limited to disciplinary action, up to and termination of employment (DLT staff), removal from the eligible training provider list, loss of funds to WIA service providers and termination of contracts with service providers or other sub-recipients of WIA funds.

The State Workforce Investment Office may take steps as described in 29 CFR Part 37.94(b)(1) – (3) and 37.95.

The State may place sanctions on a Local Workforce Investment Area after all attempts to provide assistance and correction of deficiencies fail, or it is apparent that the Workforce Investment Act Title II recipient (administrative entity, service providers or One Stop Operator) fails or refuses to correct the violations within the timeframes established; fails or refused to correct the violations voluntarily; or technical assistance has not worked. The severity of the sanction is dependent upon the severity of the noncompliance and will be imposed on a case-by-case basis. Sanctions may include:

- Reduction, termination or withholding of Workforce Investment Act funding;
- Termination of funds to the Local Workforce Investment Area or any of their service providers or One Stop operators found in noncompliance;
- Discontinuing of referrals of participants to sites against which discrimination allegations have been proven;
- Removal of participants from sites refusing to implement corrective actions.

Termination, the denial of funds or to discontinue Workforce Investment Act funds would be a last resort and this action would be taken by the U.S. Department of Labor.

Issues of noncompliance in equal opportunity and nondiscrimination requirements that can not be resolved locally or at the State level through corrective action plans or technical assistance will be referred to the Civil Rights Center for processing as outlined in 29 CFR Part 37.95.